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November 30, 2016

VIA ECF

Hon. Thomas P. Griesa
United States District Court
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: *Vuppala v. Uber Technologies, Inc.*, Case No. 15-CV-6247 (TPG)

Dear Judge Griesa:

As the Court is aware, we represent Defendant Uber Technologies, Inc. ("Uber") in the above-referenced matter. In accordance with Your Honor's September 23 minute order, we write to notify the Court that the parties' settlement discussions have reached impasse.

In light of this development, and as detailed in the parties' prior Joint Rule 26(f) Reports, Uber intends to move to compel Plaintiff to individually arbitrate his dispute at the earliest practicable time after the stay of proceedings in this matter is lifted. It is Plaintiff's position that the alleged arbitration agreement is unenforceable, as was recently opined in this SDNY by the Honorable Jed Rakoff in *Spencer Meyer v. Travis Kalanick*, Case Number 1:15-cv-09796 (SDNY). Defendant contends the *Meyer* decision, which is currently on appeal, is legally incorrect and factually distinguishable. Accordingly, the parties anticipate that the primary factual and legal issues in the preliminary stage of this case will revolve around whether the parties are bound by an enforceable arbitration agreement.

With respect to litigation and discovery deadlines unrelated to Uber's anticipated motion, the parties propose the following:[1]

Civil Case Management Plan Requirement	**Date / Deadline**
Initial Disclosure pursuant to Rule 26(a)(1), Fed. R. Civ. P. to be served no later than:	1/16/2017

[1] As discussed in the parties' September 16 Rule 26(f) Report, Uber's agreement to participate in preliminary discovery, including the exchange of initial disclosures, is subject to the parties' understanding that Uber's participation in this process is without prejudice to its position that the case must be resolved in arbitration, and on an individual basis.

Initial requests for production to be served by:	2/24/2017
Initial interrogatories to be served no later than:	2/24/2017
Initial requests to admit to be served no later than:	2/24/2017
Motion to amend or to join additional parties to be filed no later than:	3/31/2017
Deadline for discovery regarding class certification issues:	6/1/2017
Deadline for motion for class certification:	6/15/2017
Deadline for motions for summary judgment:	60 days before trial
Deadline for exchange of expert disclosures:	60 days before trial
All fact (merits) discovery to be completed no later than:	30 days before trial
Discovery - depositions to be completed no later than:	30 days before trial
All expert discovery to be completed no later than:	15 days before trial
Trial:	TBD

Respectfully submitted,

/s/Andrew M. Spurchise

Andrew M. Spurchise

AMS

cc: All counsel of record (via ECF)

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